

Law Enforcement News

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Who's watching the watchers?

Albuquerque tries again to overhaul its police oversight mechanism

The legislative "fine-tuning" of Albuquerque's police oversight system has won kudos from the city's police chief, public officials and even the author of the report that set the ball rolling on the revisions — nearly everyone, it seems, but the department's police union.

Passed unanimously by the City Council on Oct. 18, the Police Oversight Ordinance restructures the city's present system by creating a new committee with authority to appoint an independent review officer to investigate all civilian and internal complaints. The ordinance also gives citizens the ability to appeal the outcome of those investigations and subsequent disciplinary actions taken by the chief of police — and to have those determinations overturned.

The new system is expected to be in place by January.

At issue, however, is the power vested in the new Police Oversight Commission, a seven-member panel that will replace the Public Safety Advisory Board. Unlike the old board, an 11-member citizens' panel that reviewed the actions of all of the city's public safety agencies, including the police, the scrutiny of the new commission will focus squarely on the Police Department.

Five of the commission's members will be nominated by the City Council and appointed by Mayor Jim Baca. The Mayor will select the remaining two. The commission will also appoint an independent review officer, a position that replaces that of the independent counsel now in place.

It will also have oversight of all citizen appeals of the investigations by the independent review officer as well as of the disciplinary actions taken by Police Chief Jerry Galvin, who maintains decision-making power in that area.

"There really is no change in most of these issues," said Galvin, a supporter of the legislation. "We do have a new ordinance, but we've always had an oversight function where there was an independent counsel — now called an independent review officer."

The city began reworking its oversight system last year, using as source material a report by Samuel Walker, a criminal justice professor at the University of Nebraska at Omaha and a nationally recognized expert on police review mechanisms.

Written with Eileen Luna, a professor at the University of Arizona and former director of San Diego's Citizens Law Enforcement Review Board, the study presented a scathing assessment of the city's oversight system.

Among its findings were that Albuquerque officers had been involved in 31 fatal shootings in 10 years — a record matched only by Portland, Ore., among the six comparably-sized cities Walker studied. Albuquerque had been averaging annual payouts of \$2 million to \$2.5 million to settle lawsuits against the department.

The city's two mechanisms for maintaining oversight were ineffective and actually increased tensions between the APD and the community, Walker and Luna concluded. Neither the PSAB nor the independent counsel, who oversaw police internal affairs and made recommendations on discipline against officers, were using the "extraordinary" powers granted to them. While both bodies promised to take action on complaints brought to their attention by citizens, they did not "deliver on anything," their report said.

"Our model grew out of a peer-city review of different types of structures," said Councilor Tim Cummins, who chaired the Police Oversight Task Force Committee. "After we took all the possibilities, we took the ones that applied

and changed some things to fit our community specifically. It's very well-tailored to Albuquerque."

But those changes are profound as far as the Albuquerque Police Officers' Association is concerned. The organization fears that the newly adopted system will deprive officers of their right to due process, something Galvin emphatically disagrees with.

"The new legislation does not take any of the due process or constitutional rights away from the police or hamper them in any way," the Chief told Law Enforcement News. "I don't think it's as onerous as some people suspect."

But on a point-by-point basis, the union appears at odds with the Chief and public officials, contesting nearly every major provision in the ordinance.

"We do not feel this ordinance is a good thing for police officers," said Officer Alex Marentes, the APOA's

president. The union is not opposed to accountability, he said, but it wants a fair process and does not believe it has gotten one with the Police Oversight Ordinance.

"The fallacy," Marentes said in an interview with LEN, "is that this going to take care of police shootings. That is not true. Those types of investigations are criminal in nature and will not have a lot of bearing on the oversight system."

The regulations are more relevant to the everyday complaints that police face, he said.

The union's overriding grievance is with the commission's authority to oversee all appeals. "That's our biggest concern," said Marentes, noting that the APOA has still not been able to determine whether this would include bringing officers before another oversight board, or compelling them to undergo

cross-examination.

The commission will also have the power to select the independent review officer. While Galvin said he would like to see the incumbent, Fred Ahromowitz, remain in the position, Marentes said the APOA would rather see someone who is less "part of the political process."

Ahromowitz is a local civil rights attorney, whom Galvin called "very fair."

The Chief said he supports the committee's oversight of appeals. Citizens need a process for complaining if they are not happy with the investigation, he said.

"When I send them a letter saying I sustain or don't sustain their complaint, they have a right to go before this commission and let their voices be heard. The independent review officer can

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Philadelphia top cop reads the riot act over crime data

The days when the theft of a purse could be classified as "can't find pocketbook" are apparently over for the Philadelphia Police Department, an agency which has found itself in the midst of a paper crime wave after an edict by Police Commissioner John F. Timoney to get the numbers right, or else.

Since taking the reins in Philadelphia in March, Timoney, a former second-in-command of the New York City Police Department who was a key figure in the success of the NYPD's Compstat strategy, has moved decisively to curb a widespread practice of downgrading criminal offenses so that fewer serious crimes show up on Philadelphia's official statistics.

One action in particular that got the attention of the PPD was Timoney's relieving two captains of their commands during the summer after internal auditors from the Quality Assurance

Bureau, a unit established by Timoney during his first months in office, found that the commanders were understating crime figures.

A 60-page confidential analysis obtained by The Philadelphia Inquirer seems to bear out the sea change in the department's attitude toward more conscientious crime reporting. The report found that thefts were up 34 percent, aggravated assaults by 14 percent, rapes by 9 percent and burglaries by 7 percent during the first nine months of 1998 compared with the same period last year — for an overall crime increase of 1 percent.

The increase could rise as high as 10 percent by the end of 1998, said Chief Inspector Vincent R. DeBlasis, who heads the Quality Assurance Bureau. But more importantly, he told The Inquirer, the statistics show a retreat away from creative crime accounting. "I really don't think crime is up," said

DeBlasis. "It's because the numbers are accurate."

Whether that is actually the case, however, remains to be seen, according to Jack Greene, a professor of criminal justice at Temple University's Center for Public Policy. "It's not at all clear whether crime is going up or the enforcement of the crime reporting system has created the picture that it's going up because statistics had been deflated."

The problem, Greene told Law Enforcement News, is the tremendous pressure on police to appear to be managing crime better. "I don't know of a major city in the last 20 years that has not been on the FBI list of [departments] that manipulated statistics or have not been under some kind of investigation or suspension from UCR," he said.

In fact, in July Timoney rejected the

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Wash. sheriff cuts DARE program from junior & senior high schools

Citing budgetary concerns and a lack of confidence in the ability of the Drug Awareness Resistance and Education program to reach children at the junior high school and high school levels, King County, Wash., Sheriff Dave Reichert plans to cut the popular program from the upper grades in 14 school districts and replace it with a school resource officer program.

"I have been a supporter of DARE all these years," Reichert told Law Enforcement News, "but what I had to do in this year's budget process was take a look at the money we have and what we want to accomplish. If I had the money, I would love to have both

DARE and the SRO program. I have to make a decision, and I think it's time to give the school resource officer the college try."

It is estimated that the change would save the county some \$469,923 next year. But it's not just the cost that has Reichert edging away from DARE for older students. The program simply does not work as well once children enter adolescence, he said. As a youth counselor for 20 years and a police officer for 27, Reichert said the most influential and confusing years are those of junior high school, when peer pressure starts to kick in.

"I think that most people see the

impact DARE has on kids in grade school," he said. "But in junior high school and high school, the dynamics change quite a bit. Even those kids who went through the DARE program start to question some of the things they were taught back in the fifth and sixth grade."

Reichert wants to expand the existing school resource officer programs within the Kent, North Shore, Lake Washington and Shoreline school districts, and expand it into others. The type of program — formal, informal or classroom-based — would depend on the needs of the school district, he said.

In the Kent School District, there are

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Around the Nation

Northeast



CONNECTICUT — Serious crimes reported to police around the state declined by about 6 percent in 1997, according to an annual statistical report released Sept. 20 by the State Police. Local police officials attributed the continuing downturn to such things as community policing, better training and more educated and more physically fit officers.

The Bridgeport City Council has approved a program that will provide gun locks for gun owners and will spend up to \$50,000 on the safety plan, which is aimed at curbing accidental shooting deaths involving young children.

MAINE — A guilty plea by the third Portland police officer to be involved in a bungled insurance scam brought an end to an incident involving the intentional sinking of another off-duty officer's pickup truck in Casco Bay. John Swiger, 30, agreed to pay a \$1,000 fine and turn in his license for 90 days as part of a deal in which he pleaded guilty to drunken driving, a misdemeanor. Swiger remains on medical leave from his patrol officer position and is not drawing his full salary. Police Chief Michael Chitwood said that the drunken driving conviction does not disqualify Swiger, but if he tries to return, an internal investigation could be launched that could result in anything from a reprimand to dismissal.

The parents of two teen-agers killed in a collision with a Cumberland County Sheriff's deputy in July have filed a notice of claim against the county officials and Deputy Deborah Hall, who was fired in September for driving too fast before the accident. On July 8, John Norton III, 18, was driving with his mother and 15-year-old brother, Matthew. Their car was broadsided by Hall, who was rushing to a domestic disturbance at 86 mph and trying to overtake the Nortons' car. Just before the collision, Hall turned off her siren to hear the dispatcher, who was calling to say there was no longer an emergency. An investigation by the Maine State Police said Hall was at fault for driving more than 20 miles above the speed limit.

MASSACHUSETTS — A cocaine sting by Federal authorities in Boston on Sept. 21 netted Philip J. Myers, 44, a convicted bank robber and reputed leader of a white supremacist prison gang. Myers was apparently trying to muscle in on South Boston's narcotics trade in the absence of James J. "Whitey" Bulger, the fugitive crime boss. While serving time for a bank robbery, Myers killed a man in prison over a cocaine debt by shoving a sharpened steel rod into the man's head.

NEW HAMPSHIRE — The state's Law Enforcement Officer's Memorial was unveiled in Concord on Sept. 27, paying tribute to 35 New Hampshire law enforcement officers who have been killed in the line of duty over the past 77 years. The granite memorial is shaped like a star and is titled "Eternal Shield."

The Merrimack Police Department

has launched a campaign to recruit more volunteer translators to help out with crimes and other situations in which non-English speaking people are involved. For roughly the past five years, the department has kept an active list of some 10 people who offered their services as volunteer translators. However, a recent check of that list revealed that most had left the area and only two were still in the program.

Under a policy change aimed at protecting students from violence, police officers will patrol the hallways in most of the state's largest cities and towns this year.

NEW JERSEY — Montclair police Lieut. Gilbert Perry, a 14-year veteran who was considered a rising star in the department, shot and killed his wife, Sharon, on Oct. 3 and then took his own life. The 40-year-old Perry was receiving treatment for depression and undergoing marriage counseling, and according to law enforcement officials was emotionally abusive toward his wife. Sharon Perry was reportedly in the midst of packing her bags to leave when the shooting occurred. Two empty suitcases were found near the bodies. The Perrys have one child, Monique, a college student.

Three Atlantic City police officers were suspended without pay in September for their roles in the death of a suspect. Officers Thomas DiLorenzo, William Warner and Keith Ferguson are under investigation by the Police Department and the Atlantic County prosecutor's office as to whether excessive force was used against Hue Q. To. The 25-year-old suspect collapsed as he was being arrested for allegedly trying to steal chips at the Trump Plaza Casino. He died after being taken to Atlantic City Medical Center, and an autopsy was said to be inconclusive.

The state Supreme Court ruled in September that prosecutors in child-abuse cases will no longer be able to tell juries what a child has said outside of court about a case if the child is going to testify at trial. Prosecutors typically recount a child's initial statements to parents and investigators in addition to interviewing them in court in an attempt to sway juries.

Roxbury Police Chief Mark Noll's appeal of a 1996 misconduct conviction was not only dismissed last month, but the state Supreme Court even inflicted greater punishment on him than he originally faced. The court let stand a four-day suspension imposed in March by an appellate court. The municipal hearing officer who found Noll guilty in 1996 had not ordered the suspension because he felt the public humiliation of the proceedings was enough. The township spent tens of thousands of dollars to punish Noll, and the Supreme Court's Sept. 17 ruling now opens the door for Roxbury to petition to have Noll pay legal costs stemming from his last appeal. Noll faces additional administrative charges accusing him of using drug enforcement funds to get favored treatment in a Federal surplus distribution program.

NEW YORK — Operation Weed and Seed, a joint Federal, state and local effort to help revitalize neighborhoods in the Bronx, will include enhanced police and prosecution resources, ex-

pansion of available youth services and leadership training to foster community empowerment. The areas targeted by the program are within the city's 43rd Precinct.

Another 15 New York City police officers were ordered into Greenwich Village after yet another gay-bashing incident in September. In the latest attack, four men were accosted by Abdul Lrinmer, 23, of Jersey City, and Salvatore Carini, 22, of Manhattan, who shouted anti-gay remarks and pelted them with bottles, according to police. There have been at least 70 anti-gay incidents in the city this year, compared to 40 that were recorded during the same period a year ago.

According to a survey of young arrestees in Manhattan, most of whom tend to be poor and black or Hispanic, the use of heroin has dropped sharply. Sociological researchers Dr. Bruce D. Johnson and Dr. Andrew Golub, who conducted the survey, hypothesize that young people growing up in impoverished neighborhoods are choosing not to inject or otherwise use heroin because they've seen the effects of the drug on older relatives and friends.

Friends and relatives of Lianne Fitzgerald, the wife of a New York City police officer who killed himself Sept. 25 after fatally shooting her and the couple's two children, claim the victim had called her husband's precinct several times to complain about physical abuse. Police officials, however, said that they have been unable to find any evidence that Mrs. Fitzgerald, 38, made those calls. None of the units that track domestic violence complaints had been aware of the family's history. Officials from the Orange County town of Greenville, where Patrick and Lianne Fitzgerald lived, said the couple had serious marital problems. Each had taken out an order of protection against the other and sought custody of their children. On two occasions, police had to be summoned because Lianne Fitzgerald had begun hallucinating and threatened to kill herself at work. An Orange County Family Court judge ordered both Fitzgeralds to undergo mental assessments, but neither showed up. Fitzgerald, 39, apparently shot his wife, their daughter, Ashley, 7, and their son, Shane, 4, with his own gun. Each was shot three times in the head. Then he called the 34th Precinct, where he was assigned to the Warrants Squad, and told the desk sergeant that he had killed his family. Then he shot himself.

While not admitting liability, the City of New York has agreed to pay \$3 million to settle wrongful-death suits filed by the family of Anthony Baez. The 24-year-old Baez died in 1994 after being placed in an illegal chokehold by New York City Police Officer Francis X. Livoti, who has since been fired. Livoti was acquitted of criminally negligent homicide in a state trial in 1996, but was later convicted in Federal court of violating Baez's civil rights. The family had filed a series of suits, seeking \$48 million. But on Oct. 1, they said they would be satisfied with the \$2.94 million, which is believed to be the largest recovery made against the city in such a case.

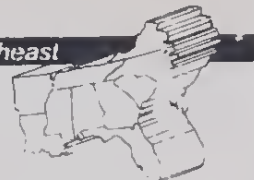
The deadline for the New York City police examination was extended to Oct. 16 due to an extraordinarily low

number of applicants signing up for the January exam — only about 6,300 as compared to 23,000 in May.

A black New York City police officer, Joseph McCollum, shot a white man in Yonkers on Sept. 30, after the man reportedly taunted him with racial epithets. The victim, Sean Kelly, 24, was hit in the stomach and reported in stable condition. Sources told The New York Times that the incident occurred when McCollum was returning to his home in Yonkers, and was confronted by Kelly while parking his car. Kelly, apparently unaware that McCollum was both a police officer and a resident, started yelling racial slurs and asking why McCollum was in the area. Kelly then chased the officer, threatening to shoot, and McCollum fired his weapon. It is not known whether Kelly had a weapon or appeared to have a weapon, or whether McCollum identified himself as an officer. It was the first time that McCollum, who is assigned to the department's Organized Crime Control Bureau, had ever fired his weapon since joining the force in 1992.

PENNSYLVANIA — Andrea Mack, a Philadelphia Police Department dispatcher, was commended in October for taking action that may have saved the life of an officer who was losing consciousness in his police car, apparently from the early stages of a diabetic coma. Mack, 40, said she noticed a change in the officer's voice over the radio. She was unable to then raise him again on the air. Mack's husband, a police officer, relayed the officer's last known location. The stricken officer's name has not been released.

Southeast



ARKANSAS — A plan submitted to Gov. Mike Huckabee's Working Group on Juvenile Justice would allow children as young as 10 who commit heinous crimes to be transferred to adult prisons after serving a juvenile sentence, rather than being freed at age 18, as is currently the case. A separate piece of legislation that has already been proposed would allow the sentencing of juveniles to up to 40 years for capital murder or first-degree murder.

FLORIDA — Two students and a teacher at the North Miami Senior High School were wounded Sept. 29 after being shot by a teen-age boy who got past security with a gun. Police believe that the shooting was in retaliation for a fight that took place outside the 3,400-student school. All three injuries were reportedly caused by a single bullet, which struck a female teacher in the hand, hit a female student in the upper thigh and then grazed another female student in the neck.

MISSISSIPPI — Samuel Bowers, a 73-year-old former Ku Klux Klan leader, faces an automatic life prison term following his Aug. 21 conviction on arson and murder charges for ordering the firebombing death of civil rights activist Vernon Dahmer in 1966. Four previous prosecutions of Bowers ended with hung juries.

NORTH CAROLINA — A House

committee has urged that state taxes on illegal drugs be reduced in order to make a state law constitutional. A recent court ruling held that suspected drug offenders were being punished twice by making them pay the taxes and still face criminal prosecution.

Mecklenburg sheriff's Capt. Anthony Stancil, 35, was shot to death on Sept. 29 while working off duty at a grocery store. He had struggled with a suspected shoplifter, and police believe the man used Stancil's gun to shoot him. The suspect, Samuel Emmanuel Mahatha, 23, was captured after a nine-hour manhunt. Mahatha had been released from prison in January after serving at least 13 months for robbery. In a bizarre twist, a search party looking for the weapon that killed Stancil discovered a decomposing female body in the area where Mahatha was arrested. There was no reported connection, however, between the suspect and the body. Stancil, an eight-year veteran who left behind a pregnant wife and two children, is the first Mecklenburg sheriff's deputy in memory to be murdered in the line of duty, according to The Charlotte Observer.

A Federal agent said two Fayetteville-area abortion clinics could have suffered fatal casualties had dynamite bombs not been discovered and defused. The bombs were found by passers-by on Oct. 5 at the Carolina Women's Medical Clinic and the Hallmark Clinic. The devices consisted of several sticks of dynamite, a detonator and a kitchen timer. No group claimed responsibility for the bombs, which were found the day before a national anti-abortion event. Authorities said both clinics had been damaged in small fires on Sept. 8.

SOUTH CAROLINA — Joshua England, 20, a former Ku Klux Klan member from Columbia was sentenced to the maximum prison term of nearly 26 years for shooting three black teen-agers outside a nightclub two years ago. England admitted to firing 11 times into a crowd outside the Club Illusion in October 1996. He said he attended a Klan rally and had been drinking.

TENNESSEE — Nashville court officials say a 14-year-old boy charged with bringing to school a toy gun that had been altered to fire a real bullet has been placed in home detention until his trial. The boy, a student at East Middle School, is charged with possession of a firearm on school property.

Midwest



ILLINOIS — The husband and teen-age son of Janice Stone-Norrington, a Cook County sheriff's police officer who was found slain in her basement, were released from custody by Richton Park police on Oct. 2. Stone-Norrington, 47, was discovered by her husband of less than three years, Paul Norrington, in a utility closet. Her death was caused by multiple gunshot wounds, according to the county medical examiner's office. There have been no arrests.

Peoria Police Officer Eric Jackson was fired Sept. 15 for failing to come

to the aid of a 13-year-old girl who was dying of an asthma attack inside a car on its way to the hospital. Beth Winston, a friend of the victim's mother, said Jackson ignored her as she flashed her lights and honked her horn for seven blocks. When Jackson finally stopped at a traffic light and Winston told him what the problem was, he never got out of his car. In a separate incident, the officer was charged with exposing himself to a woman while off duty and lying to investigators.

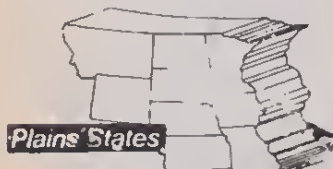
KENTUCKY — Michael Cameal, a 15-year-old charged with killing three students at Paducah's Health High School during a school prayer group on Dec. 1, 1997, has asked that he be allowed to enter a plea of guilty but mentally ill. Cameal told psychiatrists that he felt rejected by his peers and that guns made him feel powerful. He is charged with three counts of murder and five counts of attempted murder.

Bureaucratic problems in Jefferson County have allowed thousands of people to remain free who should have been locked up, according to Circuit Court Clerk Tony Miller. The county has more than 70,000 outstanding district court warrants for the arrest of people on charges ranging from traffic violations to rape.

MICHIGAN — Plans to build a police station in Franklin, an affluent Detroit suburb, would deface the village's historic district and hurt property values, say some residents. The town's historic district is the first in the state to be included in the National Register of Historic Places.

OHIO — Still maintaining his innocence, Douglas Prade, a former Akron police captain, was convicted Sept. 23 of murdering his ex-wife, and was sentenced to life in prison. Margo Prade, a 41-year-old physician, was shot Nov. 26, 1997, in her van outside her office. Prosecutors said the 52-year-old Prade could not stand his former wife creating a new life for herself after their divorce. The jury deliberated for six hours before convicting the defendant of aggravated murder, in addition to six counts of wiretapping and one count of possession of criminal tools. Prade allegedly recorded hundreds of his wife's phone calls.

Four high school students in Medina, Fairfield and Summit counties face hearings and 12-month expulsions for bringing weapons to school or a school event.



IOWA — An eight-year veteran of the Fremont County Sheriff's Department, Deputy Jeff Keeton, was fired on Aug. 27 following reprimands to stop practicing his karate skills on his colleagues. One employee suffered an injury that caused him to miss 10 weeks of work; he is now seeking partial-disability payments. Keeton is appealing his dismissal, saying his co-worker's injuries were self-inflicted.

Lawmakers have been asked by Des

Moines County sheriff's deputies to remove the officers' names from their assigned patrol cars because they say it leaves them vulnerable. The deputies have filed a grievance against Sheriff Joel Behne.

Des Moines police seized about 10 pounds of crack cocaine in September, which officials say may be the biggest haul of the drug ever made in the state. The crack was found when police stopped two vehicles.

KANSAS — A 10.2-percent decline in the number of domestic violence cases reported to state law enforcement agencies was recorded between 1992 and 1997. The incidence of reported rape, however, rose by 14.3 percent during that same period.

Gov. Bill Graves has formed a discussion group to explore ways of settling a dispute of employment and personal issues that has festered between state Highway Patrol troopers and the agency's senior management. An audit found that the feud needed to be ended and said it may take outside help. Governor Graves added that the patrol's superintendent, Col. Lonnie McCollum, is in no danger of being fired.

MISSOURI — In an effort to change public perceptions about the dangers of downtown St. Louis, the Downtown St. Louis Partnership — a civic booster group — and the Police Department have outlined some new goals, including more officers on bicycle and horse-back patrol, a new court to give priority to minor nuisance crimes, such as aggressive panhandling, drunkenness and public urination, and a variety of beautification efforts and. The plan was announced in September, following the murder of a tourist who had come to see a Cardinals baseball game.



ARIZONA — The trial of so-called bounty hunter Michael Sanders, who along with four other men allegedly broke into a home and fatally shot two people there in 1997, began in Phoenix on Sept. 22. Prosecutors claim the men were actually on a futile hunt to rob drug dealers.

COLORADO — Brighton Police Chief Clint Blackhurst is defending his department's domestic violence policy against criticism after officers failed to make an arrest at the home of Adams County District Attorney Bob Grant. In a 911 call to police dispatchers on Aug. 23, Grant reported that after a night of drinking, his wife was out of control and had to be physically restrained and locked in their bedroom until she calmed down. Grant's wife told officers that her husband had pushed her down the stairs, but said she was uninjured. Grant denied the assertion, but agreed to leave for the night to cool off. The executive director of the Colorado Coalition Against Domestic Violence, Lane Gibbs, asked Blackhurst to review his department's policy.

Campus security at the University of Colorado at Boulder has been bol-

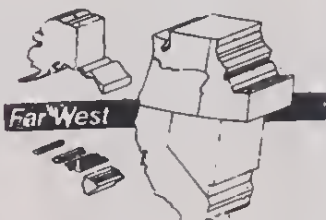
stered with the addition of some \$350,000 worth of improvements and safety programs, following a string of sexual assaults and the murders of a homeless man on campus and the fatal, off-campus beating of a student. The school has spent more than \$150,000 to improve lighting on campus, including parking lots and the section of the Boulder Creek bike path that passes the campus. Some 18 emergency call boxes will be installed at various campus locations by December, as well, bringing the total number up to 46. There is also an "Eyes and Ears" program to provide readily identifiable people on campus to whom students can go for help or to report unusual incidents.

NEW MEXICO — Rio Rancho in September became the first district in the state to enact a mandatory school uniform policy. The policy will take effect with the 1999-2000 school year.

TEXAS — In his former role as New York City's police commissioner, Lee P. Brown implemented the drug-screening program for police officers there. Now the Mayor of Houston, Brown recently became the city's first mayor to be picked at random for a drug test since the program began in 1992.

Dallas police are holding a suspect accused of stealing Elvis Presley's leather Harley Davidson jacket from Graceland in February. The jacket is thought to be worth \$40,000.

UTAH — Attendees at the U.S. Conference of Mayors' National Summit on School Violence and Kids in Salt Lake City in late September endorsed a variety of ideas that included: limiting handgun purchases by adults to one a month; using a new personalization technique that will prevent handguns from being fired by anyone except their owners; and allowing school officials to view students' juvenile court records. Mayor Beverly O'Neill of Long Beach, Calif., said youth crime in the city has dropped nearly 90 percent since 1994 when schools there began requiring uniforms for kindergartners through eighth-graders.



CALIFORNIA — A \$2-million expansion of the Hollenbeck Youth Center into a three-story sports and activities complex was unveiled in September. Hollenbeck which was created in 1972 by Los Angeles police officers to provide boxing classes for at-risk youth, will now offer dozens of additional free programs, including computer training, academic tutoring and gymnastics.

A Sonoma County jail officer, Shawn Davidson, was traumatized in September after unwittingly becoming involved in a mock hostage-taking exercise at the jail. Davidson pleaded desperately for his life as he was held prisoner by a gunman played by a co-worker in a mask. The exercise was conducted to test compliance with a policy on non-negotiation with hostage takers. The plan was to see if the gunman could force jailers to let him into a locked area. The exercise ended after

10 minutes when other jail officers refused to comply with the demand despite threats to Davidson.

Under a Federal grant, the city of Los Angeles is expected to receive enough money to hire 710 new police officers, which could push the department's total strength to over 10,000 for the first time in its history. While officials would not disclose the size of the grant, it is estimated to be roughly \$150 million, which would pay approximately 90 percent of the new officers salaries over the next three years. It is unclear whether there will be resistance to accepting the funding, as some City Council members have raised concerns about the ability to pay for the facilities and equipment that hundreds of new officers would need.

Members of a Samoan-American family and guests who were beaten by Los Angeles County sheriff's deputies during a bridal shower nine years ago received a settlement for nearly \$24 million in September, the largest civil

rights payout in city history. The money will be paid to 36 people found to have been wrongly arrested in 1989. A 1995 jury found the deputies had used excessive force and violated the rights of the party guests. The verdict was upheld in July by the State Supreme Court. The jury awarded the plaintiffs \$15.9 million, but the amount swelled as interest accumulated.

Two San Diego police officers collided in their cruisers Sept. 22 while on their way to assist another officer chasing a man wanted on an arrest warrant. Although both officers had their red lights and sirens activated, they apparently did not see each other's car in time to avoid the crash. The officers were treated for minor injuries.

WASHINGTON — Seattle officials reported in September that gang activity is on the decline in the area. The report of shots fired dropped 90 percent, from 382 in 1993 to 40 in 1997. Drive-by shootings fell by 84 percent, from 195 to 32, during the same period.

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First-class trooper

What does it take to be named Police Officer of the Year? First, you race 70 miles to respond to a report of a multiple shooting. Then you step out from behind cover to rescue a fellow officer pinned down by a rampaging gunman's fire, drag the trooper to safety and, finally, take the suspect down permanently with a shot that pierces his bulletproof vest.

That's what New Hampshire State Trooper 1st Class Charles M. West of Colebrook, N.H., did to win the 1998 honor from the International Association of Chiefs of Police and Parade magazine, which was presented Oct. 20 at the IACP conference in Salt Lake City.

West, 40, becomes just the second state police officer to win the IACP/Parade award in its 33-year history.

The incident for which West was cited occurred in August 1997, when 62-year-old **Curt Drega**, a known troublemaker with numerous property violations, shot and killed Troopers **Scott Phillips** and **Les Lord** after they had stopped him for a minor vehicle violation. Drega then went gunning for Judge **Vickie Bunnell**, who had obtained a restraining order against him, and fatally shot her in the back. He next killed **Dennis Juos**, co-editor of *The News and Sentinel* in Colebrook.

West said he heard about Drega's rampage while on a narcotics assignment 70 miles away. He immediately sped north to Bloomfield, Vt., where Drega had fled in a police car.

New Hampshire State Troopers **Jeff Caulder** and **Robert Haase**, and U.S. Border Patrol Agent **John Pfeifer** were badly wounded when Drega opened fire. After risking his own safety to drag Caulder out of the line of fire, West realized that the only way to rescue the other injured officers was to stop Drega. The gunman had continued firing at Fish and Game Warden **Sam Sprague** and Border Patrol Agent **Stephen Brooks** as they tried to save Pfeifer.

"I really don't want to do this," West said. "This is really going to sting," added Brooks. As Drega stood pinned behind a tree, West and Brooks advanced up a hill. When Drega showed himself, Brooks shot him in the jaw, then West pumped a shotgun round into Drega's chest, through his body armor.

The IACP and Parade also presented 10 honorable mention awards, which went to:

Detective **Lieut. Andrew F. Anewenter**, 82, Milwaukee, Wis., Police Department; Officer **Ray Barker Sr.**, 37, Louisville, Ky., Division of Police; Officer **Timothy G. Hahn**, 35, Madison, Wis., Police Department; Det. **Robert Idle**, 32, West Valley, Utah, Police Department; Officer **Marshal Mack**, 36, San Fernando, Calif., Police Department; Det. **Scott Perkins**, 33, Orlando, Fla., Police Department; Special Agent **Curt Rothacker**, 46, Union Pacific Railroad Police, Colton, Calif.; Sgt. **Peter Smolyanski**, 47, Miami Beach, Fla., Police Department; Officer **Brian Tomblin**, 29, Metro-Nashville, Tenn., Police Department; and Officer **Gregory A. Wojcik**, 31, Santa Rosa, Calif., Police Department.

The sons also rise

Even before the day their father, a New York State trooper, was killed in the line of duty, **Randy** and **Ryan Kubasiak** knew they wanted to be just like him. Now they'll get that chance, having graduated on Oct. 27 from the New York State Police Academy in Albany.

"I've always wanted to have some way to make him proud of me, to better myself in any way I can," said Randy, 23. The brothers will go to Troop B in the Adirondacks, the same place their father started his career with the force in 1974.

Their father, Trooper **Gary E. Kubasiak**, was killed responding to a domestic dispute in Dayton on Aug. 30, 1982. Kubasiak was a dog handler, called in while off-duty to help deal with a mental patient, **James J. Swan**. Kubasiak was shot three times as he entered the man's kitchen.

Ryan said he knew something was wrong as soon as he saw his mother's face the next day. "My mother immediately started to hug my brother and me," he said.

His father's death has never made him waver in his desire to join the State Police, said Ryan. "I think that has just made me even prouder to wear the uniform I'm wearing today," he told *The Albany Times-Union*.

Melody Kwilos, the Kubasiaks' mother, said it was difficult for her to talk about her sons' career choice. But she had no unusual fear, she said, that the same tragedy would occur again. "I'm very proud of the choice they made," said Kwilos.

L.A. says goodbye to Block

Sheriff dies of brain hemorrhage, then loses election

Even before Los Angeles County Sheriff **Sherman Block** was stricken with the fatal ailment that ended his life on Oct. 29, true believers dedicated to his reelection were forced to concede that the gravely ill Sheriff might not have won a fifth term.

In the end, Block, who succumbed to a brain hemorrhage after years of ill health, including two bouts with cancer and a serious kidney condition, was beaten on Nov. 3 by former sheriff's chief **Lee Baca**. Dead but still on the ballot, Block won 39 percent of the vote to Baca's 61 percent.

Supporters said that Block had wanted the campaign to move forward regardless of his health. The push was seen as having political as well as personal motivations for many close to the campaign. Should Block have won the office in death, the power to name a new sheriff would have passed to the Board of Supervisors. It is generally believed that the supervisors would have favored someone in the current command structure rather than Baca. One potential outside successor whose name had been mentioned was former Los Angeles Deputy Chief **Mark Krockner**.

Block was first elected Sheriff in 1982 and served for 17 years, but the past decade had been a trying one for the 74-year-old lawman. An unbroken succession of scandals erupted in the department, and Block's close relationship with members of the Board of Supervisors — who hold the purse strings of the 12,400-employee agency — began to fray.

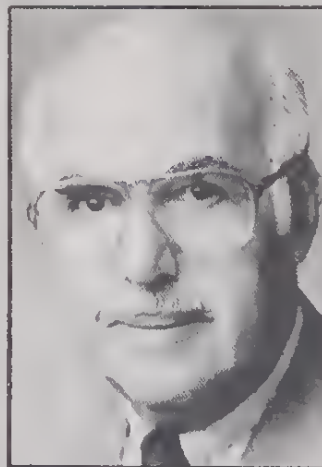
Earlier this year, the county was forced to pay out nearly \$23 million in what is believed to be the largest civil judgment in local law enforcement history. The plaintiffs were a group of Samoan-Americans who had been arrested and beaten by truncheon-wielding deputies during a 1989 bridal

shower in Cerritos.

In another act of malfeasance, 10 deputies, including nine members of an elite squad, were indicted in 1990 of allegedly stealing \$1.4 million in drug money, filing false tax returns and money laundering.

And there had been other public embarrassments.

As early as 1991, a Federal judge found that a "neo-Nazi, white



Sherman Block
L.A. mourns its loss

supremacist ring" of deputies that called itself the Vikings had been operating in the department. Early this year, Block himself uncovered a vigilante group of employees who made it their mission to "discipline" unruly inmates at the Twin Towers Correctional Facility. Eight of those were found to be involved in the fatal beating of a mentally ill inmate.

In addition, several controversial shootings of blacks and Latinos had led to a broad inquiry headed by a retired Superior Court judge and to a series of recommended reforms. Block reluctantly accepted some of the changes and the imposition of an independent monitor to oversee their implementation.

All of these had left Block vulnerable to challenges, but despite them, he had virtually sailed through four elections. Those close to the

campaign believe that this time it was the Sheriff's failing health — an issue seized upon by his opponent — that tipped the scales for voters.

Polls conducted by Baca's campaign over several nights during election week showed significant numbers of voters, uncomfortable with the idea of voting for a seriously ill candidate, already departing for the challenger's side.

But on the day after the election, Baca urged both sides of the campaign to put aside their differences as they mourned for the Sheriff.

"Sherman Block was a giant in the law enforcement family," said the victor. "His dedication and commitment to his profession were unparalleled."

Just 32 years old when he began his law enforcement career, Block rose to become the country's highest paid elected official — making \$236,016 a year. He was a favorite of former Sheriff **Peter Pitchess**, who promoted him swiftly through the ranks. When Pitchess resigned in 1982 after 29 years on the job, he recommended Block as his successor. After appointing the recommended candidate, the Board of Supervisors found itself with a virtually unbeatable incumbent.

Earlier in his career, in 1960, Block had been promoted to sergeant and transferred to the vice squad. In one of his most celebrated exploits, he arrested the comedian **Lenny Bruce** for an allegedly obscene performance at the Troubadour nightclub in West Hollywood. Testifying at trial, Block had to repeat what Bruce said on stage. Years later, Block recalled that when he was done, Bruce and his supporters gave him a standing ovation, with the comic saying, "I've been arrested in a lot of cities, but you're the first cop who ever got my routine right."

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High-level thanks

One of the Justice Department's highest honors, the Director's Award, was bestowed in October on an Arizona Department of Game and Fish agent who went undercover to help make the Government's weapons case against a violent band of right-wing zealots.

The actions of **John "Doc" Schultz** were "extraordinarily heroic," said assistant U.S. Attorney **Joe Welty**, who prosecuted the case against the Viper Militia. "I've seen a lot of people go into dangerous situations, but they all had 10 backups waiting outside," he said. "Doc was involved in extremely dangerous activities in the middle of nowhere without anybody at the other end of the line."

Schultz, 49, said he was prompted to take on the assignment because of his concern for officer safety. "They

talked of killing police officers who might intercept them in the field and try to arrest them," he said.

The Viper case was clearly something out of the ordinary for the agent, whose nickname stems from the fact that he holds a doctorate in environmental science. He began his career with the Albuquerque Health Department, then joined the Colorado Highway Patrol. In 1993, Schultz went to work for the Game and Fish Department as an undercover agent. Most of his work up until the Vipers case, however, involved rattlesnake-poaching cases.

Last year, Schultz testified at the trial of former Viper **Charles Knight**, a Glendale resident who was arrested along with 11 other members in 1996. Knight was later convicted on charges of conspiring to make and possess unregistered destructive devices. The other members reached plea agreements with prosecutors.

Schultz described in his testimony the Vipers' explosives training and discussions they held on urban combat and

sniping. He trained with the group during 1995 and 1996. Schultz won the admiration of **Jose Wall**, an agent with the Bureau of Alcohol, Tobacco and Firearms who also worked on the case. "This ranks right up there with any major undercover operation," Wall told *The Arizona Republic*. "The risk factor alone of working with people who were making those bombs with homemade components is amazing. Anything could have gone wrong."

And it nearly did, Schultz testified. His undercover identity was that of Scott Jason Wells, a gun shop employee. The role held up, even when it was tested during one tense encounter with two militia members who abruptly demanded to see Schultz's apartment. One Viper member, a telephone company employee, even went so far as to review the apartment's phone records.

Reflecting on the danger of his assignment, Schultz said he has a new respect for the risk undercover narcotics officers take. "They do it on a daily basis," he said.

Building a more crime-free environment

Tempe cops have the last word on construction projects

Tempe, Ariz., police officers Richard Steely and Roger Austin are not builders, engineers or architects, but their input is still more than welcome at the construction sites of commercial buildings and other structures throughout the city. In fact, it's the law.

In 1997, Tempe passed an ordinance that requires police approval of any commercial building, park or residential housing development built in the city. Everything from high luminance lights to the relocation of automated teller machines have been ordered by officers.

Steely and Austin go over construction blueprints in their office and visit sites at least one day each week. They are at the forefront of a growing nationwide trend to incorporate crime prevention features into the design of everything from parking lots to office buildings.

Steely began pushing for the city law in 1990 after he had attended classes at the National Crime Prevention Institute in Louisville, Ky. Police, he said, could often tell just by looking which buildings were easy targets for crime. Yet there was no coordination between designers and police.

"When I got back, I realized we were the only ones not doing anything in the planning department," Steely told USA Today.

The concept of crime prevention through environmental design has been around for decades, but the practice has surged in recent years as communities look for more innovative ways to reduce crime. [See LEN, Dec. 31, 1995.] The interest in

designing crime-free buildings from the ground up has grown so large that there is now an annual convention that attracts architects, city planners, developers, engineers and law enforcement officials from around the world.

The concept bears a striking resemblance to what is a common practice for fire department officials, who have long helped set building codes. "You can't build a building in any city in the United States without having a fire department's involvement," said Steely.

Notes Patrick Harris, executive director of the Virginia Crime Prevention Association, "If you go to any state and look, the fire prevention codes are 30 to 40 pages long, but there are no codes for police crime prevention." Ordinances like Tempe's, he said, give a law enforcement "a voice at the table."

Steely and Austin often address issues of parking lot locations, lighting and the placement of plants and counters in stores. The goal is to cut down on the places where criminals can hide, and provide employees and residents with a better view of their surroundings.

"A major thrust of this is to increase natural surveillance areas," said Jeff Fryrear, the NCPI's executive director. "You get people to look out [of their buildings] and see what's going on."

Tempe is far from the only city putting CPTED principles into action. Police departments in eight of the nation's 10 largest cities have followed Tempe's lead to some degree, including those in New York, Los Angeles, Detroit, Houston, San Antonio, Dallas, Phoenix and San Diego.

Los Angeles police officers have input in any development going up in the city, but their suggestions are not binding, Sgt. Reid Morthel told USA Today.

"Before buildings are actually built, we are trying to determine the impact these buildings are going to have on our ability as law enforcement to respond," he said. Some of the suggestions made by LAPD officers include: landscaping with smaller bushes to improve visibility; using curved walls as opposed to sharp edges, which create hiding places, and locating parking lots within plain sight of building occupants.

San Diego Police Officer Mike Holden said the city is moving toward establishing an ordinance similar to Tempe's. His department has had an officer working with city planners for about three years, but so far, suggestions made by officers cannot be enforced.

Of course, not everyone believes this kind of police oversight and input is such a good idea. Elmer Bradley, a former mayor of Tempe and the owner of Elmer Bradley Construction, said the ordinance has created a "cumbersome process" that makes it nearly impossible to get final approval. "I see it as one more step in the bureaucracy," he said.

Bradley had to put in four times as many lights as he normally would have for a 900-seat, 43,000-square-foot church. The lights he purchased did not come from a recommended manufacturer, either. "The guy came out and he became unglued," said Bradley. "Now we're waiting to see if we're going to have to change all the lighting."

Looking for a few warm bodies:

Understaffed Santa Fe PD feels the pinch

Santa Fe Police Chief John Denko would be happy to add 50 new officers to his understaffed department, but says he'll feel lucky if he gets 15.

Both Denko and the city's police union agree that the size of the 126-member force should be doubled. Even the city has backed Denko on the need for a vastly expanded department. But given the budget and size of the city, there is just not enough money in the coffers, the Chief said, noting that it costs roughly \$65,000 to train, equip and pay the first year's salary and benefits for each police officer hired.

Stretched thin, the department is taking more time to respond to calls on busy nights, said Lieut. Raye Byford. People wanting to report a burglary or theft may have to wait three or four hours if the crime has already taken place. "If there's something in progress — a violent crime or even a gas skip, we'll respond right away."

It has gotten to the point, Denko told Law Enforcement News, that he would be willing to take however many officers the city would give him. Even one, he said, would give the department a "trinkling of help."

Support for more officers looks as though it will come from City Councilor Peso Chavez, who chairs the Council's Public Safety Committee, who said he plans to introduce a bill to hire 15 more officers next year.

With overtime pay having reached \$458,000 during the last fiscal year, which ran from July 1997 through June 1998, the city could have hired, trained and equipped seven officers, according to Nancy Jimenez, the department's accounting supervisor. Since July of this year, some \$202,000 was paid in overtime, at an average rate of \$30 an hour.

The overtime figures, said Chavez, should help him sell the Council on his plan to hire a significant number of additional officers. "The Council will just have to prioritize," he said when asked where the money for the new

hires will come from. "I know there is enough money. I hope other councilors will agree that this should be a priority."

Some of the money could come from the savings due to decreased overtime spending. Adding 15 officers would increase manpower by better than 10 percent.

In order to cope in the meantime, Denko has ordered that each shift have no fewer than eight officers in the field, although some say the number sometimes dips to six. Based on a population of 65,000, there are less than two officers per thousand residents.

Understaffing has created a dangerous situation, said Officer Michael Salazar, president of the Santa Fe Police Officers Association. "Burnout is

a terrible problem right now," he told The New Mexican newspaper. "We're short-staffed and everyone is tired."

Salazar asserted that the more officers present at a given situation, the less likelihood of a violent confrontation. Conversely, fewer officers can increase the chances of such an incident. "We've been lucky so far," he said.

But Denko said he does not consider the situation to be as dire as Salazar paints it. "I think that it does tax the officers a bit more than I'd like to see," he said. "It's a stressful situation, a less than ideal one, but not a dangerous one."

Of the 126 sworn officers the department has now, 74 are assigned to patrol and 25 are in criminal investigations. Other officers are used for pro-

grams including the Drug Awareness Resistance and Education program, community relations, internal affairs and training. There are currently eight unfilled positions, which Denko said should be filled in the next academy class. But any new positions that are created would be the first in at least four years.

Donald Grady II, who was hired as police chief in 1994 by then-Mayor Debbie Jaramillo, adhered to a philosophy that a department did not have to grow to be effective. Grady even refused to take advantage of that year's omnibus Federal crime bill, which would have provided funds to hire and train more officers.

"We've been shorthanded since at least the Grady days," said Salazar. "I

don't think we've been up to full strength since the days of Bohhie Lucero," who was Grady's predecessor.

Denko said the Police Department is just one of the municipal agencies to be neglected during that time. "There are other areas of need in the city," he said. "What the administration is trying to do is come up with a set of priorities and share the wealth."

Until then, there are ways the department can create a stronger police presence by rearranging shifts and schedules, said Lieutenant Byford. During the late 1980s and early 1990s, as many as 30 to 40 total officers were on the street for several hours when the swing shift and graveyard shift were both on duty.

Six Houston cops get the ax over roles in botched drug raid that turned lethal

An attorney for the shooting victim's family is left "disgusted and puzzled" by a grand jury's course of action.

In a case he called the most egregious he had ever seen, Houston Police Chief Clarence Bradford on Nov. 2 fired six officers for their involvement in a botched drug raid that left a 22-year-old Mexican landscaper dead after being shot 12 times.

Bradford said the officers, part of a task force operating in a largely Hispanic section of the city, burst into the apartment of Pedro Oregon Navarro on the night of July 12 after an unregistered informant they had stopped for drunken driving, who was on probation for drug charges, offered them the victim's name as a drug supplier in exchange for his own release. Thirty-three shots were fired, nine of which hit Oregon in the back.

No drugs were found in the apartment, and an autopsy found no drugs or alcohol in Oregon's system.

The killing has strained relations between police and the city's large Latino community, prompting several

marches and public denunciations. The Mexican government has also registered a protest on behalf of Oregon, a father of two who came to the United States eight years ago. He had no known criminal record.

"I have not seen, in my opinion, a case as egregious as this case," said Bradford.

Bradford fired Sgt. D.H. Strouse and officers D.R. Barrera, P.A. Herrada, D.R. Perkins, L.E. Tillery and James R. Willis after recommendations by department committees on civilian review and administrative discipline. An internal investigation found the officers

had entered the apartment illegally without a search warrant and violated police policy by using an unregistered and intoxicated informant in an unauthorized narcotics investigation. They were also charged with official oppression and lying to investigators.

Police officials who were quoted anonymously by The Houston Chronicle said Oregon brandished a handgun and that the shooting began when one of the officers' weapons accidentally discharged, striking another officer's bulletproof vest. Officers believed the shot had come from Oregon, they said.

But a pistol found next to the victim's body had not been fired, said Richard Mihoff, an attorney for the Oregon family who has filed a \$35-million civil suit in connection with the Mexican immigrant's death. While he praised the firings, Mihoff said the killing reflects systemic problems in the department. The suit will be based on

complaints about police recruiting, enforcement and supervision.

Bradford's dismissal of the six officers came less than two weeks after a Harris County grand jury voted on Oct. 20 to indict just one of the officers, Willis, on a misdemeanor charge of criminal trespass. If found guilty, he faces a maximum penalty of one year in prison and a \$4,000 fine. Paul Nugent, another lawyer for the Oregon family, said he found the grand jury's decision "disgusting and puzzling."

In the aftermath, Mayor Lee P. Brown, Representative Sheila Jackson-Lee, four City Council members and several civil rights leaders have asked the Justice Department to launch an investigation into whether Oregon's civil rights were violated. Said Brown, a former New York City police commissioner, "It's a sad situation when any citizen loses his life in our city, but even more so when it happens [due to] the very people who protect them," he said.

NY court: Beware of pot stings

Reverse sting operations that involve marijuana are likely to be severely limited after the New York State Court of Appeals on Oct. 22 reversed a lower court's finding that people who believed they were buying marijuana could be charged with criminal solicitation.

The decision will not affect reverse sting operations involving drugs that carry higher penalties, such as cocaine. While prosecutors will still be unable to charge buyers with criminal solicitation, they can charge them with attempted possession of cocaine, a class B misdemeanor. Attempted possession of marijuana, on the other hand, is not an offense.

The appellate ruling stems from a case involving 54 defendants who bought small amounts of what they thought was marijuana from undercover police officers in Rochester, N.Y. Since police may not sell marijuana, the buyers actually purchased oregano. Since the buyers could not be charged with possession of marijuana, which carries a maximum fine of \$100, they were charged instead with criminal solicitation, which carries a maximum penalty of 15 days in jail.

In overturning the ruling of the Monroe County court, the Court of Appeals said the defendants could not be charged under the solicitation statute because of an exemption in the penal code that states, "A person is not guilty of criminal solicitation when his solicitation constitutes conduct of a kind that is necessarily incidental to the commission of the crime solicited."

Thomas Rainbow Morse, an assistant district attorney who represented the state, said the issue will be brought to the attention of the Legislature in hopes of closing the loophole in the criminal solicitation statute.

NYPD turns its focus to pot users and arrests climb to record levels

Turning the traditional buy-and-bust strategy on its head, New York City police are now targeting the customer instead of the seller when it comes to marijuana transactions, and the effort has proven so effective that arrests during the first 10 months of this year have smashed the previous record set in 1997.

Through the end of October, police had made 31,300 arrests this year, more than 80 percent of those for possession of the drug, and topping last year's record of 27,264. Police officials project that if arrests continue to be made at the current pace, the number of individuals apprehended for possessing and selling small amounts of marijuana could reach 40,000 — a figure eight times what it was just six years ago.

The increase is an outgrowth of a pledge made by Mayor Rudolph W. Giuliani last year to make the fight on drugs, including marijuana, a goal during his second term in office. The policy's most visible success is in Washington Square Park in the heart of Greenwich Village, where marijuana dealers previously formed a gantlet that visitors had to cross as they passed through the area. Closed-circuit cameras now monitor the park, which has a

police command post inside it.

"The community in general is tired of walking through the park and being hassled by having someone yelling 'Smoke, smoke' at them," Arthur Strickler, the district manager of Community Board 2 in the Village, told *The New York Times*.

Under the latest initiative, officials said, routine sweeps of drug-dealing locations are made by details of plainclothes officers who pose as street-corner "smoke sellers" to catch buyers. "We have changed the traditional strategy," said Chief Martin O'Boyle, commander of the Organized Crime Control Bureau, which oversees drug enforcement efforts. Officers now concentrate more on "discouraging customers" rather than busting drug sellers, who often receive little jail time.

The New York policy is a continuation of a police crackdown by police on low-level and quality-of-life offenses, which officials have credited with helping to reduce the occurrence of more serious crime. Even if the amount of marijuana is minute, police officials said, the warrant and fingerprint checks made on those arrested often turn up other, more serious offenses.

Critics have charged, however, that

busting individuals for low-level possession is inefficient and a waste of resources. "Most of the people who are arrested for marijuana are no threat to anybody," said Gerald Lefcourt, a criminal defense attorney who serves on a legal committee for the National Organization for the Reform of Marijuana Laws (NORML), a group that seeks to end criminal prosecution of marijuana use. "It's a colossal waste," he told *The New York Times*.

In fact, the policy does mark a sweeping change from how the NYPD used to handle marijuana arrests. There was a time when an individual caught smoking marijuana in public would draw not much more than an angry stare from a police officer and a command to "throw it away."

Jack Ryan, the chief assistant district attorney in Queens, said he did not believe that any more marijuana was on the street today than in the past, but the rules of the game have changed.

In the past, those arrested on low-level possession charges were usually given a summons or desk appearance ticket. Today, arrestees are held for arraignment and can spend up to 36 hours in custody. Several defense attorneys said their clients had been held half a day or more while being fingerprinted,

strip-searched and checked for outstanding warrants before they even went to court.

"We call that doing your jail time up front," said Tony Elitcher, a staff lawyer with the Legal Aid Society's criminal defense division. "You are doing your sentence before you ever get in front of a judge."

While arrests are soaring, there has been no increase in the severity of penalties, however. First offenders caught with as much as several ounces of marijuana — worth about \$125 per ounce depending on the potency — are eligible for a probation program known as adjournment in contemplation of dismissal, in which charges are dismissed if the defendant stays out of trouble for a set period of time.

The Manhattan District Attorney's Office said that of the 4,866 defendants whose low-level-possession cases were disposed of at arraignment, 63 percent were adjourned contemplating dismissal.

The policy has put a strain on the Criminal Court, said court officials, and a spokeswoman for the Office of Court Administration noted that the Legislature has been asked to fund an additional 23 judges citywide to address the larger caseloads.

Utah county sheriff may absorb yet another local police department

What the Pleasant View, Utah, Police Department might lose in autonomy, it will more than make up for in additional services and personnel if a plan to consolidate its force with that of the Weber County Sheriff's Office comes to pass, said Police Chief Rex Cragun.

Pleasant View, with its five-member police department, is the latest in a number of municipalities in Weber County to consider a partnership with the 196-member sheriff's agency. Since 1991, Far West, West Haven and Huntsville have all agreed to hand over law enforcement responsibilities to the larger department, with no terminations

and with commensurate salaries for local officers.

The Sheriff's Department has adopted a community-policing model that is site-based, explained Sheriff Brad Slater, using precinct commanders to police a particular area with a combination of city and county resources. By expanding geographic boundaries to include islands of unincorporated areas adjacent to a city, it creates a model precinct.

"We bring economies of scale," Slater told *Law Enforcement News*, "yet the municipality still enjoys a sense of control — the types of things that led to the need for them to have their

own department years ago."

The most recent force to be absorbed was in Huntsville in 1997. The sheriff's office hired Huntsville's police chief, Ryan Hadley, as a sergeant at the same pay grade.

"Under this plan, both the county and city come out win-win," said Slater. "Tax-dollar wise, it's much more efficient. For Pleasant View and the adjacent areas, it will actually increase services with no additional cost."

Word is getting around, Slater said, that the plan "works pretty well."

For Pleasant View, some of the services they will be able to receive under the consolidation include school resource officers and full-time, commercial vehicle safety inspection — good programs, said Chief Cragun, which are hard to provide with a small force. The city would also receive three additional patrol officers.

"The upside is you gain more manpower and have greater resources," he told *LEN*. "It's easier to absorb someone who terminates, somebody who needs a week off, or whatever." Right now, "it takes everybody to make it work 24 hours a day," and if someone calls in sick, the department has to scramble.

"Somebody else is taking off and heading home because they're going to have to come back for the later shift," said Cragun. "That's kind of tough from

time to time — especially if you're the kind of person who doesn't like to be shuffled around."

Pleasant View's consolidation plan is currently being considered by the City Council. Several workshops have been held on the proposal, said Cragun, and a public hearing will be scheduled before the Council votes to determine the Police Department's fate. City officials have studied other municipalities that have been consolidated, primarily Huntsville, and, said Cragun, "We've heard nothing but good things from the mayor and the police chief and his officers."

While a merger offers substantial benefits, it is not without a price. The Police Department will give up its name and vehicle markings that have become familiar to the town's nearly 6,000 residents. The Police Department has been practicing community policing before the concept ever had a name, said Cragun. A good percentage of the community knows its police officers by their first names and have developed relationships with them.

"It could be a downside to have strangers come in," he said, referring to the new officers who would be stationed here. "But I think other than the logos on the vehicle — from police to sheriff — and the color of the uniforms, it will be the same old group out here with a few new faces."



Bill's bills

With police officers and law enforcement survivors looking on at a ceremony in the Old Executive Office Building on Nov. 13, President Clinton signs new laws that will provide college scholarships to the families of slain officers and strengthen the penalties for violent criminals or drug traffickers who use a gun when committing a crime.

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How smart are 'smart guns'? Police may be first to know

With 13 percent of the law enforcement officers killed in the line of duty shot with their own guns, police are expected to be the first to use a new, computerized "smart gun" that is designed to fire only for its owner.

Developed by Colt's Manufacturing Company, the 9mm. semiautomatic looks like an ordinary firearm, but only when the shooter dons a special wristband containing a tiny radio transmitter will the trigger cause the hammer to drop and discharge the weapon.

The transmitter is said to have a range of only a few inches, thus rendering it useless even if held within feet of an officer by an assailant. It will also be programmable so that officers can fire one another's guns.

The smart gun is still at least a year away from the retail market, and has yet to undergo the type of real-life testing intended to satisfy the concerns of law enforcement, such as its reliability when dropped on hard surfaces or used in the rain. Company officials believe acceptance by police officers will go a long way toward reassuring civilian users of the weapon's dependability.

Colt's sees a profitable new market for the technology among a small but growing segment of gun owners — women, who may see the smart gun as an answer to fears of having their weapon used against them.

The smart-gun prototype was built with the help of a \$500,000 research

grant from the National Institute of Justice, but Colt's has spent millions more on research. The new recognition technology will add \$300 to \$400 to the price of each gun, said Marc Fontaine, the company's chief operating officer.

Not surprisingly, the development of smart guns has already stirred debate among gun-control advocates and the National Rifle Association, which contends that legislators are putting the cart before the horse by considering legislation that would require guns to have the recognition technology. Legislators in New Jersey and Maryland are already considering making the recognition technology a requirement for any gun sold in the state.

"I don't think there is any harm in proceeding with the development of a safer firearm," James Jay Baker, the NRA's executive director, told *The New York Times*, "but I think there is a problem with adopting a technology that doesn't even exist yet. It's not even on the market, and the police haven't even accepted the technology yet."

And many believe that there is nothing a computerized gun can do to thwart a determined shooter.

"If you want to shoot your wife, you will go out and get your gun and shoot her," said L.E. Schultz, president and chief executive of Smith & Wesson, which suspended its own smart-gun program some time ago to wait for the technology to advance.

The Violence Policy Center, a stridently anti-gun advocacy group that favors phasing out privately-owned handguns altogether, believes the smart gun is unlikely to reduce suicides, the largest single cause of firearms deaths, and homicides, which are most often committed by acquaintances. Most gun owners, they maintain, will have more than one handgun, leaving more than enough "dumb ones" around.

Furthermore, the weapon has at least two Achilles heels that researchers have uncovered. The weapon would still work if its transmitter band were stolen, too. In a struggle with an assailant, it would fire if it were still in or touching the owner's hand. An even greater concern, however, is the device's dependence on a battery to operate.

According to a 1996 review of smart-gun technology for use in police work, researchers reached a highly iffy conclusion. After reviewing a dozen possible technologies, from Colt's radio-frequency tag system to biometric devices that cause the gun to recognize the length of a particular officer's finger, it found that none earned a higher grade than a B because of concerns about battery life.

"It may take a generation of smart gun systems to come and go before a smart gun is not only common, but favored over non-smart guns," concluded the 172-page report.

Still, Colt's has found an ally in the group Handgun Control Inc. "The only people who oppose or question the usefulness of developing smart guns are the extremists at both ends of the gun-control debate," said Naomi Paiss, an HCI spokeswoman. "Gun manufacturers who are not investing in smart-gun technology are obviously quite afraid that their wares will instantly become the Ford Pintos of the 90's."

DoJ officials caught off guard by 'isolated' COPS grant fraud

A former Texas police chief pleaded guilty on Oct. 1 to felony fraud for misusing Federal grant money, in a case that officials at the Justice Department's Office of Community Oriented Policing Services have likened to a bolt from the blue.

Bradley Scott Boase, 28, police chief in Rising Star from 1994 through 1996, was charged with receiving illegal kickbacks from a COPS grant the department received in 1995 to hire a single police officer, Daryl Cozart.

According to court documents, Boase submitted a budget to the COPS office which proposed \$27,000 as a base salary for the new officer — more than double the chief's own pay. Boase then arranged with Cozart to hand over \$300 per paycheck to supplement his own significantly lower salary.

Ultimately, Boase is believed to have received at least \$4,800 from Cozart, said the court papers.

The Boase incident is not one that the COPS office has ever seen before, said Gil Kerlikowske, the agency's deputy director.

"As far as an outright criminal case, that's very isolated," he said.

The COPS office depends on the honesty of law enforcement departments when filling out the application for a police hiring grant, said Kevin Avery, an agency official in Texas.

"We don't second-guess that; we don't ask for a list of what all the people in the department are paid," he said. "We have over 10,000 grantees, and to check them

all would be very difficult."

The COPS office does have a one-year-old monitoring system in place, however, to make sure that recipients are abiding by the conditions of the grant once it is executed. Kerlikowske said the agency has just completed the hiring of nearly 58 additional staff members to serve in capacities ranging from assistant director to regional supervisor to grant monitors. They come from a wide variety of backgrounds, he said.

"Some are from government, some are criminal justice people — either retired or experienced in policing," he said. "That mix makes the monitoring unit strong."

There are three levels of monitoring: the new division, the comptroller's office at the Department of Justice and the Department's office of inspector general, said Kerlikowske.

"We have thousands of grantees and they cover this huge spectrum," he said. "The issue is to make sure that people know we're not only upholding our responsibility and making sure they live up to their agreements, but also that if they're having problems, we are there to keep them on track."

Boase, who pleaded guilty to securing execution of a document by deception, a felony under Texas law, was sentenced to five years probation and ordered to pay \$4,800 in restitution, which he paid to the Department of Justice at the time of his plea. Boase was also ordered to perform 200 hours of community service.

Neighborhood watch group is on the beam

In what is described as a "traffic version of a neighborhood watch program," specially trained volunteers from the Pinery Homeowners Association in Douglas County, Colo., are using radar guns on loan from the sheriff's department to take aim at speeders.

"We are putting 95 percent of the workload on the homeowners and they are loving it," said Deputy Bernard Harris, who is overseeing the program.

The purpose, he said, is to allow homeowners or homeowner associations to assist in solving problems in their own communities. It's not so much that the problems are a burden on the department, Harris told *The Denver Post*, but when residents take an active part in finding solutions "they feel as though they've accomplished something."

The Pinery association, which was loaned four radar guns for a one-month period beginning in September, records the license plates of speeding drivers, then sends its findings to the sheriff's office in Castle Rock. The department in turn sends the names and addresses of the motorists back to the homeowners. Drivers get a letter from the group asking them to kindly ease up on the gas pedal when cruising the neighborhood's streets.

Traffic-spotting teams are made up of four or five volunteers who go through a one-day training session provided by the sheriff's department on how to use the radar guns. They are given strict instructions never to confront drivers. Positioning themselves along roadways and near school zones, one team member records the license plate number while two others confirm it. The information is then forwarded

to the authorities. Drivers only get a letter — no tickets or other penalties.

Said Dave Kristick, a retired police officer who heads the Pinery traffic patrol, "It's more of an educational thing than anything else. Obviously, people don't intend to speed. They don't intend to break the law." Just recognizing that someone is watching can make a difference, he said.

Speeding has dropped significantly in the month since the program began, noted Kristick, who compiles statistics for every speeding offense his team records. During the first week, volunteers recorded 56 speeders in a single hour — all going at least 10 mph over the speed limit. Some motorists were clocked going at twice the limit at various locations.

After several weeks, however, Kristick's group recorded only seven speeding drivers in a two-hour period. The average speed has fallen, as well, to about 12 miles per hour over the limit. The total number of recorded violations during one month — using the state's system of ranking fines — would have generated \$18,536, he told *The Post*.

But the Pinery radar guns may soon be recalled. The program has been such a success that other homeowners' associations in Castle Pines North, Hidden Village, Highlands Ranch and Stonegate are now patiently waiting their turn for a chance to slow traffic down in their communities.

While the program depends on driver's voluntary compliance, said Harris, repeat offenders are known. One day, a speeder will see a uniformed deputy standing behind a radar-gun totting volunteer. Says Harris, "We will go out and give them a present."

Help is on the way for highway crash victims, as in-car system dials 911

A new on-board vehicle system that automatically alerts 911 in the event of a crash is like "Dick Tracy with the telephone on his wrist," said Erie County, N.Y., Sheriff Patrick M. Gallivan.

The Automated Collision Notification System is an experiment being conducted by the National Highway Transportation Safety Administration, which combines crash sensors with a cellular telephone and a receiver for the global positioning system. It has been installed in 600 cars in the Erie County area, where, advocates say, crashes on highways along the suburban and rural outskirts of Buffalo have sometimes resulted in motorists dying from exposure or injuries before they could be located.

The system works by automatically dialing 911 when there is an accident. The dispatcher then knows where the car is and at what angle it came to rest. Experts say an enhanced version could even integrate the system with car registration data, letting the dispatcher know who owns the car and possibly even who the driver is and whether he or she is unconscious.

Designed by Calspan Operations, a transportation technology firm in Buffalo, the system even has a black box feature similar to that found on airplanes. The crash recorder notes how hard the car had accelerated up or down,

left or right, backward or forward.

According to Dr. Dietrich V. Jchle, director of emergency services at the Erie County Medical Center, the system could be used to match crash types with injuries. Eventually, dispatchers would be able to send the right level of help in an emergency, he told *The New York Times*.

"It shows what intelligent transportation systems can do for you," said Mortimer Downey, the Deputy Secretary of Transportation.

The system had its first real-life test last April when a man from South Wales, N.Y., Mick Buffum, fell asleep behind the wheel. His 1994 Chevrolet Cavalier drifted off the right side of the road, ran up a cable used to brace a utility pole and flipped onto its right side.

Alone on a dark country road outside Manilla, N.Y., Buffum heard the voice of an Erie County emergency dispatcher speaking to him over the car's

cellular phone. Buffum had unbuckled his seat belt and promptly fallen to the passenger side of the car. However, he could not figure out how to get out of the vehicle.

"I go, 'The car's on its side,' and he goes, 'I know,'" said Buffum, recalling the conversation. "I said, 'I can't get the door open,' and he said, 'Can you roll the window down?'"

While Buffum would have survived without the dispatcher's help, Sheriff Gallivan noted that nearly every winter there is a report of someone who has skidded off a road and disappeared into a snow bank or hill and died before the car was discovered. Often, he said, someone with a cell phone discovers the accident, but does not know precisely where the scene is.

"It's just a matter of time," Gallivan predicted, before a system such as the one that helped Buffum become standard equipment in all vehicles.

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Braiden:

Policing, crime and habitat reduction

By Chris Braiden

(Second of two articles.)

Centuries ago, Plato said: "All cities are in fact two cities, one for the rich and one for the poor, each at war with the other. And in either city you will find several others. You would make a great mistake if you treated them all alike."

The man could have been talking about North America on the eve of the millennium. Most cities today are collections of villages with different mental and physical habitats but stuck together. Human habitats across North America vary greatly. In contrast, traditional policing has the same stiff generic structure which forces it to work in a generic way everywhere. It has great difficulty adapting to society's diversity.

Can we learn anything from the hunt-habitat analogy? I think we can. Policing should broaden its approach to crime and disorder by going after the hunt *and* habitat, in a balanced way. To do that, it needs to wean part of itself off the hunt and attach it to the habitat's breeding grounds. For sure the hunt (arresting and locking up bad guys) is the central component of policing's overall mandate, but it shouldn't be the only one. There are things we can do before the crime goes down. To be successful we don't need to destroy the entire habitat. We only need to "take out" one piece of the whole. Here's what I mean.

To make fire, I need three ingredients: fuel, oxygen, spark. To prevent fire, I need only remove anyone of the three. So it is with crime's mental and physical habitats. To change them entirely is probably not possible, but in many cases

(Chris Braiden, a former superintendent with the Edmonton, Alberta, Police Service, is now the president of Chris Braiden Consulting Inc. in St. Albert, Alberta, Canada.)

it is possible to remove one piece of the whole.

Crime's Two Primary Habitats

There are two habitats continually fermenting the next generation of criminals, and if society doesn't do something about them now, we'll pay the piper later.

1. There are 1.6 million people in U.S. prisons — three times more than in 1980. The U.S. rate of incarceration is 600 per 100,000 population,

Policing should broaden its approach to crime by going after the hunt *and* habitat, in a balanced way. For sure the hunt (locking up bad guys) is the central component of policing's overall mandate, but it shouldn't be the only one.

which is topped by only one country, Russia. Even South Africa, at the height of apartheid rule, had fewer prisoners. Because of minimum sentencing and two- or three-strikes legislation, this number will grow significantly in coming years. This is the product of the hunt mentality. By contrast, in the Netherlands, which has the most liberal drug laws in Western society — as well as one of its lowest levels of violence — the incarceration rate is 44 per 100,000.

Those 1.6 million prisoners have 1 million children between them. Research and experience show that a child whose parent does time is highly likely to follow suit. Therefore, the more we lock up today, the more we'll likely have to lock up tomorrow.

2. Tolstoy said that all happy families resemble each other, but each unhappy family is unhappy

in its own way. Recent research reveals that kids between 12 and 17 who come from unhappy homes are 67 times more likely to get into crime than kids who come from happy homes. Perhaps more money should be going to Head Start programs, and less to SWAT

Knowledge (Hunt) vs. Wisdom (Habitat)

Traditional policing's knowledge in terms of

technology, education and training has grown exponentially since the 1960s, but I don't think its wisdom has kept pace. To be successful in any workplace you need both knowledge and wisdom, but one is more important than the other.

The dictionary defines knowledge as "a person's range of information." It defines wisdom as "the possession of knowledge *plus* experience *together with* the ability of applying both practically." Wisdom is bigger than knowledge. Knowledge becomes obsolete; wisdom doesn't. Wisdom brings system and context to knowledge. Wisdom is the edges of the jigsaw; knowledge the pieces that fill in the middle. Wisdom is the cookie-cutter, knowledge the cookie. Just as we need to go after both hunt and habitat of policing, we need both knowledge and wisdom to get the job done. Two case studies help to make the point.

Hunt Mentality: The O.J. Simpson Case

O.J. and Nicole Simpson's violent family history is a good example of a known criminal mental habitat being left untreated until two butchered bodies exposed it to the world. The police had been to that habitat at least eight previous times, each one involving violence. When the police decided to charge O.J. on the eighth call, he couldn't believe it. Remember what he said? "What are you charging me for now? You were here seven times before and you did nothing about it." Here's how O.J.'s mental habitat interpreted the lack of police action: A punches B; B calls cops; cops come but do nothing. Therefore, A can punch B anytime and get away with it.

There was no shortage of habitat knowledge in the Simpson case, but the wisdom to make better use of that knowledge was lacking because traditional policing can't think ahead of the game. And there's another lesson of nature to be learned from the Simpson murders and the thousands like them we never hear about. For every action there is always an opposite, equal reaction. The mandatory arrest statutes of today are society's reaction to traditional policing's past neglect of duty in cases of family violence.

Habitat Mentality: The Boston Gun Project

The Boston Gun Project team won the Law Enforcement News People of the Year Award in 1997. It's a great example of coppers using wisdom to eliminate one component of several that make up a criminal habitat. Boston went 28 months without a single juvenile homicide, which is quite an accomplishment for any large city — even in Canada, where handguns are a very rare find. Although there were numerous components to the overall project which involved many people other than police, here is one of the things they did.

The coppers *suspected* there were many illegal handguns in the housing projects where they worked, but they didn't have enough information to get search warrants. In other words, by relying only on their legal tools, they were helpless to get ahead of the game by seizing the guns before they were used in a crime. Instead of waiting, they started knocking on doors. They were very honest and explained what they were trying to accomplish — *get the guns out of circulation before they were used in a crime*. They asked the parents to allow them to come into the home to search for illegal guns and if they found any, they would not prosecute! They just wanted to get their hands on the guns. More often than not, the parents themselves don't know there are guns in the home. *In one year, the coppers seized 422 illegal handguns!*

Of course, there's no way to directly connect those seizures to the homicide-free period, but even if the homicide rate had doubled, it was still a very wise thing to do. Remember, that was 422 fewer handguns the coppers themselves had to worry about facing.

The Boston Gun Project is a great example of going after a component of the criminal habitat, before the fact. They didn't destroy the entire

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Letters

OC training:

In the eye of the beholder

To the editor:

I read with interest the article authored by Ann Ryder [LEN, Oct. 15, 1998] about OC training and her related conspiracy theories.

First, I have no experience with OC use or training for correctional officers. Direct exposure may be an unnecessary procedure for correctional officers at the N.C. Department of Corrections. I am very concerned, however, that other professional groups will do exactly as the N.C. Department of Labor has done. The "investigation" upon which the Department of Labor based its advisory letter entitled "Written Notice of Risks and Health Consequences of Pepper Spray" did not include even one contact with the N.C. Association of Chiefs of Police, N.C. Sheriffs Association, any police employees association, N.C. Justice Academy or even the commissions authorized by state law to regulate police or sheriffs training.

There are very different work- and administrative environments for law enforcement vs. correctional officers. Correctional officers generally perform their duties in a closed environment from which the general public is usually excluded. Correctional officers in direct contact with the institutional population are not armed with firearms. In North Carolina, pretrial detainees are rarely secured in Department of Correction facilities. Law enforcement officers, on the other hand, perform their duties in the middle of the general public while equipped with firearms. Frequently, law enforcement officers know little, if anything, about the person with whom they come in contact. Law enforcement officers, even when dealing with serious crimes, are often surrounded with innocent third parties.

For the above reasons, correctional adminis-

trators, when designing training, must balance the ability to effectively control the inmate with the concerns of the employee being trained. Beyond the remote prospect of an escape risk, public safety is not even a consideration. Law enforcement administrators faced with an identical decision must consider a three-part model. Law enforcement administrators must weigh the competing considerations of public safety, civil rights of the suspect and concerns of the employee.

As a recipient of direct, "between the eyes" spray training myself, I can testify first hand that one's first reaction is one of panic and inability to protect oneself. Police officers are very likely to come in contact with OC while performing their duties, either through "hostile" or "friendly" fire. Just as soldiers in basic training are taught to persevere and overcome gas attacks, police officers should learn to disregard or overcome the effects of OC to protect themselves from being disarmed and shot with their own firearms, or use the radio to call for help. I am confident that direct exposure training is the only way to achieve this goal. From my own firsthand experience, there is a very real possibility that an officer, hit with OC directly the first time, will either be unable to protect himself or herself, or will panic and jeopardize the safety of an innocent third party.

Last, but not least, I filed a public records request with the N.C. Department of Labor to obtain "any and all records" upon which its decision to issue its advisory letter was based. Its response included only eight sources of information: an observation of one OC training session for corrections officers on May 13, 1996, by a health compliance officer; a telephone contact with an unnamed law enforcement trainer at the Charlotte-Mecklenburg Police Department; a telephone contact with two other state departments of correction, a review of medical records of the

N.C. Department of Corrections; a review of a U.S. Army toxicity study; an FBI firearms unit study, and, last but not least, a study by Dr. Walter Stopford of Duke University Medical Center. Most importantly, Dr. Stopford was Ms. Ryder's expert witness in her unsuccessful lawsuit against the N.C. Department of Correction. No opportunity was given, prior to issuance of the advisory letter, for any law enforcement association, agency or commission to submit alternate information or comment on the advisory letter.

Of course, OC exposure training is not risk-free. All law enforcement training contains some element of risk to the employee. If we follow the logic of Ms. Ryder and the N.C. Department of Labor, we would do firearms training with cap pistols.

The real question is, "Does successful completion of that training materially improve a law enforcement officer's ability to survive an adverse incident without jeopardizing innocent third parties?" If the answer to this question is yes, we must ask the further question, "Does this material improvement in personal and public safety outweigh the risks to the individual officer from a single, direct exposure to OC?"

As law enforcement officers, trainers and administrators, we should not rest until the answers to these questions are known. But until those answers are known, law enforcement trainers and administrators should be restricted by a state agency's attempt to substitute its judgment for the judgment of those administrators and trainers who must bear the legal and political consequences of those decisions.

ROBERT E. CANSLER

Police Chief

Concord, N.C., Police Department

President

North Carolina Association of Chiefs of Police

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Paintball guns are a pain for NJ police

They may not be lethal, but a pellet shot from a paintball gun at speeds of up to 300 feet per second can cause personal injury and extensive property damage, making their use by juveniles a growing headache for New Jersey law enforcement.

Paintball guns were developed some 20 years ago as toys for people who wanted to play simulated war games. They looked and fired like single-shot pistols. Newer models, however, pack considerably more firepower. Costing as much as \$800, they resemble semi-automatic weapons and can fire off as many as 50 paint-filled gelatin balls in a single clip.

They are the top seller among outdoor sporting goods in the state, said a district manager for the Sport Authority's chain of 12 stores in New Jersey. More than a dozen parks allow their use for sporting activities.

Of more immediate concern to police, however, is the growing use of the

guns for illicit purposes outside the safety of parks. Statewide, officials told The Newark Star-Ledger recently, the number of assault cases and vandalism cases involving paintball guns has grown over the past year. This is especially true around Halloween, when homeowners find their property pelted with sometimes indelible paint.

Police and prosecutors are in a bind, however, when it comes to arrests in these cases. Paintball guns are not classified as firearms and are legal for minors. The situation has left law enforcement officials in several jurisdictions having to resort to filing whatever charges seemed to fit the offense.

"We're seeing a lot more of these guns, and we're not finding them in some innocent way," said Chris Kubriek, an assistant prosecutor in Middlesex County who handles juvenile cases. Police and prosecutors, he told The Star-Ledger, have struggled to find appropriate charges to bring

against offenders.

Ten years ago, a Superior Court judge in Freehold rejected an argument by the Monmouth County Prosecutor's Office and the state Attorney General that paintball guns should be classified under the same firearms restrictions that regulate BB guns, since both guns use compressed air to fire projectiles. The paintball gun uses a carbon dioxide cartridge.

The initiative was apparently rejected on the basis of pellet size. To qualify as a firearm like a BB gun under state law, the projectile has to be less than three-eighths of an inch in diameter. "They are larger," said Mark Sealford, the assistant Monmouth County prosecutor who handled the case, referring to the paintball rounds.

So law enforcement has had to become more resourceful.

In Edison and East Amwell, for example, 10 teen-agers were charged with weapons possession under state's law in two separate incidents during the Halloween weekend. Both groups engaged in paintball shooting sprees that involved firing at residences and homeowners.

Under those statutes, "Even if it not a firearm, it can still be considered a weapon, especially if it is fired at someone or if it is used unlawfully," said Edison Police Sgt. Matt Freeman. "It's like having a knife or a club."

In Wayne, a 19-year-old man was charged with aggravated assault Nov. 14 for shooting at a Clifton couple as they walked through a mall parking lot. The charge was brought partly because of the "growing commotion" over the guns and because police were not able

to charge him with a firearms violation, said Detective Capt. Don Stouhamer. A conviction carries up to five years in prison.

Last year, a Westfield patrol officer drew his weapon on a teen-ager he thought had fired a rifle in the woods before realizing that the youth was carrying a paintball gun.

"He had the guy in his sights, and it was a matter of who was going to flinch first," said Westfield Detective Lieut. James T. Schneider. "But he used restraint and talked the guy to come out."

After several meetings with the teen-ager's parents, Westfield authorities eventually resolved the case after initially approaching it as an assault.

Concerns over liability have forced the Sports Authority chain to treat the guns as they would firearms, keeping them behind the counter and showing them only to those over 18 with the as-

sistance of a salesperson.

Traveling at speeds of 280 to 300 feet per second, a pellet can leave a painful welt if fired from close range. Some who have been hit in the eyes have lost their sight, said police.

But for many towns, however, the overriding problem with paintball guns has been vandalism. "People around here reported getting pelted pretty good on Halloween," said Parsippany Mayor Mimi Letts. "It was mostly buildings getting hit, and the paint is a real mess to clean off."

The attack prompted Parsippany officials to begin investigating the idea of a local ordinance that would discourage anyone from carrying a paintball gun outside of a recognized playing field. The proposal is similar to one that bars people from firing a how and arrow in their backyard without town permission.

'Paper crime wave' hits Philadelphia

Continued from Page 1

department's preliminary crime figures for the first half of 1998 as unreliable and refused to submit them to the FBI's Uniform Crime Reporting program for its midyear survey.

Other findings from the quality control unit's report included sharp increases over the past few months within Philadelphia's individual police districts.

For example, the 22nd District in North Philadelphia reported an average of 50 major crimes per week in the first seven months and an average of 75 a week in August and September — an increase of 50 percent.

The biggest increase came from South Philadelphia's Fourth District, which reported 2,660 major crimes from January through September — 35 percent more than the same period in 1997.

One category of crime that did not increase, however, was car theft, which fell by 12 percent from January through September compared with the same period in 1997. The drop has been attributed to a greater emphasis on auto-theft investigations, including a crack-down on thieves who use tow trucks.

Conversely, the tally for aggravated assaults jumped a hefty 66 percent during the months of August and September. Citywide, an average of 111 were reported each week during the first seven months of the year. In the next two months, however, the average jumped to 183 a week.

"July, August, September — crime is zooming," said DeBlasis. "That's because they're coding right."

A practical explanation could be that police got Timoney's message after his transfer of the two captains from their district command positions to the night shift. From January to July, police districts reported an average of 1,781 major crimes per week. But in August and September, the average shot up 19 percent, to 2,084 a week.

Before the new classification initiative, patrol officers would submit incident reports and a brief narrative describing what happened. Supervisors at the district station houses would read

the reports and then label the incidents according to crime type. But in the analysis produced for the department's Compstat process, Quality Assurance Bureau auditors found that shootings were sometimes downgraded to "hospital cases" and rapes were entered as "investigate persons."

Lieut. David Marnin of the Eighth District in Northeast Philadelphia told The Inquirer that there is a difference in the way offenses were previously classified compared to how they are today. For example, Marnin pointed out, his district saw thefts increase by 38 percent, but the increase was due in part to more stringent reporting of such incidents as thefts of license plates. Such incidents were almost always logged as "lost property," he said, especially when the car owner did not report the theft immediately.

DeBlasis recalled an incident in which a purse was stolen during a burglary, then classified by police as "can't find pocketbook" — a designation that in the past would have kept the incident from becoming part of the PPD's internal crime tally. The correct label to apply in such as case, he said, is now burglary.

Greene traced the problem of mislabeling and downgrading crimes to what he termed "a tremendous amount of pressure on police officers to appear to be managing the crime problem better." In Philadelphia, he suggested, the problem is also a legacy of the fact that "the department has had so little investment in the technical system that would count crimes better, or the personnel who would understand the importance of counting them accurately."

Timoney's establishment of the Quality Assurance Bureau to carry out internal auditing of crime data is "a reasonable approach," said Greene, but it may not go far enough.

"I don't know that in any key government function, there shouldn't be some sort of independent reporting process," Greene told LEN. "I know it rankles police, but we wouldn't let hospitals report their own health statistics, or only schools report their educational statistics."

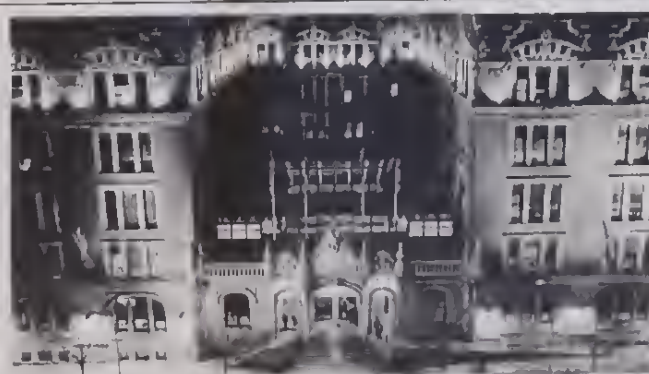
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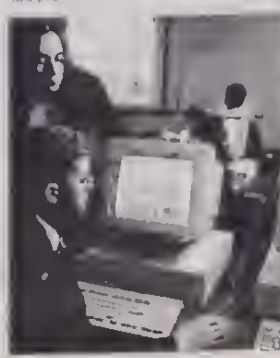
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Albuquerque eyes new oversight system

Continued from Page 1

look at the investigation, can order a further investigation or an outside investigator," said Galvin. "If the complaint is against me, it should go to an outside investigator."

But Galvin emphasized that he would not have supported the legisla-

tion if it had included subpoena power for the commission. "What I was opposed to was a kangaroo court where an officer would be subpoenaed in among 200 shouting citizens in front of a board. It's not going to happen."

Once again, however, Marentes sees a conflict. On one hand, he notes, the

ordinance states that an investigation by the independent review officer will be conducted in the wake of a citizen's appeal to the commission. Any findings must then be submitted to the panel. Compelled statements from officers will not be handed over to its members.

At the same time, one provision in the ordinance says the review officer will protect the confidentiality of the compelled statements, while another clause says that he has no attorney-client privileges. "How can you have both?" Marentes asks.

The language regarding compelled statements is another issue the union has voiced concern over. Under the U.S. Supreme Court's landmark 1967 decision in *Garrity v. New Jersey*, Marentes pointed out, an officer can be compelled to give testimony if threatened by the loss of his job, but the statement cannot be used in a criminal proceeding. Without the threat of discipline, as must be carried out by a superior, those statements may be viewed as voluntary by a court, he said.

So when a citizen — who does not have disciplinary power — compels testimony from an officer, there is no protection from prosecution, he said.

While not dismissing Marentes's

concerns, Cummins observed that the union president was on the committee and present at every meeting regarding the legislation. "They can have all the heartburn they want," he told LEN, "but the fact is, they had a seat at the table and they were part of the discussion and input that ended up being the ordinance that it is today."

While the APOA and management appear to be on opposite sides of the fence on significant parts of the ordinance, Walker maintains that there is still much in the legislation to be heartened by.

"The City Council is to be commended," Walker told LEN. "They paid an outsider to come in and then acted

on those [recommended] changes. Very often, these reports just sit on a shelf."

The changes that were made, he said, are more along the lines of an adjustment. "This is really fine-tuning," said Walker. "The independent counsel, that was the sweeping change."

Among the provisions Walker cited as positive steps are an 18-month evaluation; greater visibility of the independent review officer via a quarterly newsletter reporting on what the commission is doing; recommendations on training and policy; more venues for filing complaints, such as community centers and libraries, and feedback to the department on the money the city was paying to settle lawsuits.

Law Enforcement Training Positions

\$34,756 - \$54,262

The Virginia Community Policing Institute (VCPI) is accepting resumes for a training coordinator, training instructor, media specialist and curriculum technology specialist. These grant-funded positions will be based in Richmond, Virginia, however, extensive travel is required.

Salary range for all positions is \$34,756 to \$54,262, depending on background and experience. Initial review of resumes for all positions will be conducted January 4, 1999, however, resumes will continue to be accepted until all positions are filled.

For more information or to request complete job announcements, contact VCPI Secretary Deanna Pace at (804) 786-9357 or E-mail at dp Pace@state.va.us.

Civilian review need a more proactive stance

Citizen review procedures need to define their role in proactive terms, and stop limiting themselves to the receiving, investigating and disposing of individual citizen complaints, according to Samuel Walker, a professor of criminal justice at the University of Nebraska at Omaha and the author of a scathing 1997 report on Albuquerque's police oversight program.

In a research brief prepared for the Open Society Institute's Center on Crime, Communities and Culture, Walker recently asserted that the recent wave of criticism of citizen review boards is well taken. Pointing to New York City's Civilian Complaint Review Board, he found no persuasive evidence that the board is an "effective instrument for curbing police misconduct or building positive police-community relations."

But the shortcomings of many boards, Walker said, are more a failure of implementation than of concept. The basic idea is sound, he said: The accountability of police is enhanced by having citizen input in the complaint process.

A number of citizen review boards across the country have already taken the proactive stance espoused by Walker, who noted that police oversight mechanisms in San Francisco, San Jose and Portland include systematic reviews of policies and procedures and the implementation of changes where needed. "Police review is designed to play a preventive role in identifying problems and correcting them before they lead to abuse of human rights," he said.

For example, Walker noted, a crowd-control policy was drafted by the San Francisco Office of Citizen Complaints and adopted in 1994 by the city's Police Department. The new policy, prepared in response to abuses arising from police attempts to disperse large demonstrations, prohibits police from simply yelling "disperse" and then wading into the crowd with clubs. Under the new policy, people have to be given adequate time to disperse and sufficient

avenues of egress.

Walker also urges the development of early-warning systems to identify police officers who are repeatedly involved in problematic behavior or are the focus of frequent citizen complaints. The potential value of such a system has been documented in a number of reports, he said, citing as an example the Christopher Commission's finding that only 44 Los Angeles police officers were responsible for a disproportionate number of use-of-force reports and civilian complaints.

Other studies have found that between 5 percent and 10 percent of officers in any department are "problem officers," the research brief observes.

Another barrier to effective oversight is the oft-noted "blue curtain" or "blue wall of silence," said Walker. To address the problem, he noted, programs have been established in both Los Angeles and New York that identify and discipline officers who lie during investigations of misconduct.

The Commission to Combat Police Corruption in New York City, for example, has offered a series of recommendations that deal with police reluctance to report misconduct by other officers. "It is still too early to determine whether the Los Angeles and New York City programs are effective," Walker said, "but it is an extremely important innovation that should be carefully studied."

Other recommendations by Walker include an active public-outreach program by review boards, the establishment of quality-control procedures to monitor their own activities for quality of service, and the timely disposition of complaints.

The old adage "justice delayed is justice denied" applies to civilian complaints as well as criminal cases, he said. The San Jose Police Department has addressed the issue by ordering that Class 1 use-of-force cases be closed within 180 days. The citizen review board monitors compliance with this timetable, said Walker.

Headlines are not enough

Affirmative-action programs looking a little black & blue

The jury is still out on community policing

Scouting the officer of the future

Time to rethink academy & field training

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Law Enforcement News

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A publication of John Jay College of Criminal Justice/CUNY

Kicking bad habits — and habitats

Continued from Page 8

criminal habitat (in fact, many of the young people involved might have committed other crimes during the same period), but if the only choice they had was guns before the fact or arrests after, wisdom told them to go after the guns.

If the Boston approach had been tried in the Simpson case, perhaps Nicole and Ron would be alive today. What if a copper sat down with Nicole and O.J. over a coffee (maybe even a doughnut too) at a time when they're not beating the hell out of each other, showed them a printout of their police file and said:

"You know, folks, based on your past history as well as mountains of research and experience, there's a very strong possibility one of you is going to do serious physical harm to the other. In fact, one of you might even murder the other. If that happens, then the one left standing is the prime suspect. I just thought I'd let you know."

Would the murders have occurred? Unfortunately, we'll never know.

We use that kind of wisdom every day in our own lives to protect our own health. We go to our doctor for our annual checkup even though we're not sick. That's why we go to the same doctor all the time, so that she or he becomes very familiar with our overall health habitat. Our doctor gives us advice on how to stay healthy and alive. If we don't follow that advice, that's our problem.

Perhaps traditional policing rewards the wrong things. In the Simpson case, the police could not have forced Nicole or O.J. to meet with them or accept the advice, but they could have offered it. It would have been very positive evidence on behalf of the LAPD at the trial. Just like our doctor, police, by the very nature of their work, possess a unique body of knowledge about their community's crime and disorder habitat. If that information is not shared when and where it's appropriate to do so, its benefit to the community is minimal.

Homicide Detectives Preventing a Homicide? No Way!

In my travels, I've heard this question asked many times: "Does your agency have a homicide detective to prevent a homicide?" Haven't found one yet. I'm usually met with a blank stare. All homicide detectives are either working on completed ones, waiting for one to happen — or on loan to the robbery unit. Trying to head a homicide off at the pass is considered social work in traditional policing, and real coppers don't do that. I've had coppers tell me they're not social workers. I know what they mean, but in fact they're wrong. The term social worker applies to everyone who does any work on behalf of any part of society and gets paid by society for doing that work. My advice to coppers who don't want to be social workers is to get off the public dollar and go into the private sector where they can pick and choose their work and clients.

Let's see if we can learn something from how doctors work to keep you and me healthy.

It's a fact of our human habitat that if a woman is murdered by a man, the

Traditional policing forces coppers to spend as little time as possible in the public's mental habitat. In service means the copper is in the car doing nothing. Out of service means the copper is out of the car doing something. In service is good; out of service is bad.

chances of that man being known to her is nine times greater than the chance of him being a stranger. For men, the factor is three to one. That's not likely to change much in coming years.

Many of those couples had past police histories of violence between each other. Records of those histories are sitting in our data banks. Computer printouts identifying those couples can be produced quickly. Could we make better use of this knowledge by adding a bit of wisdom to it? What if the homicide unit produced a list of the top 20 (30, 50, 100, whatever) at-risk couples and had a detective work with them to try and prevent a homicide? If he or she visited each couple just once a year, it would consume about a week's time. Of course, if the detective were successful, we would never know because we cannot count a non-event or prove it was the detective's intervention that prevented the homicide. There's no body to show for our efforts. Traditional policing measures its success against the UCR, which only counts completed crimes. And so we wait for the bodies.

What if we were able to produce a similar list of past incidents involving police officers that indicates future danger to their lives? Wouldn't we try and do something before the fact to prevent injuries or deaths? Of course we would — because they're fellow coppers. We connect personally with them. Remember what the sniper said: "Don't let the faces follow you." Traditional policing stratifies human life. There's never been any question about what happens to someone who punches a copper. Why should the standard be different for a copper and a battered wife?

Stranger-on-Stranger: A Dangerous Habitat

Some years ago, the FBI conducted research into police officers murdered in the line of duty. A typical profile of a police killer emerged. He doesn't know the police officer he murdered, he knows lots of other officers because he has a long rap sheet; he hates officers. Because of our mass media world and the fact that policing is such a visible and ever-present focus of mass media, the actions of one copper, good or bad, speak for all. A copper in Canada might sow the hate and a fellow copper in California may reap it the next day. Policing's collective safety is inextricably linked to policing's collective behavior.

Officer safety is very important. A good chunk of recruit training is devoted to it. Traditional training teaches young coppers to spend the bulk of their time inside the police cultural habitat, leave it reluctantly and get back inside as soon as possible. The result is that almost every encounter between copper and citizen is stranger-on-stranger. That's not a good environment for officer safety because there is no personal connection between the two. *The best, single officer-safety tactic of all is for individual coppers to be well known, personally, by the most dangerous people in the most dangerous habitats*

of your jurisdiction. Something happens to the chemistry between two human beings when they are acquainted with each other, even just a little bit, as opposed to being strangers. Toughened hunters have no difficulty shooting animals in the wild, but ask them to shoot their own sick dog at home and watch their reaction.

Traditional policing forces coppers to spend as little time as possible in the public's mental habitat. That's why the terms "in service" and "out of service" are so important. In service means the copper is in the car doing nothing. Out of service means the copper is out of the car doing something. In service is good; out of service is bad. For years I told my coppers I didn't care how many coffees they had so long as they didn't have them with other coppers. They had personal radios and I could reach them no matter where they were. They knew that if I drove by a coffee shop and saw one police car, there wasn't a problem; two or more and there was. I urged them to hang out in the 'hood whenever they got the chance, for two reasons: a) so that they become familiar with — and comfortable in — the 'hood's habitat, and b) so that the 'hood's residents become familiar with — and comfortable in — the police habitat. The objective? Safety for both. *Both habitats need to feed each other.*

I'm tired of traditional policing's warlike mentality. Its solution to everything is to launch war on it. We need to learn from our past. Historians of the American civil war (what's civil about a war that saw 700,000 fellow countrymen kill each other?) and both world wars are unanimous in their agreement

that the worst possible way to resolve human conflict is to wage war on it. If that is true between warring nations, how much truer is it within a single nation? If I'm thinking war, I need enemies. If I'm thinking peace, I need allies. We need to remind ourselves that common law democratic policing was created to replace the use of the military in policing ourselves.

Uniting the Habitats

Before the fall of communism, a rabbi was walking through a field when he was stopped by a Soviet soldier who asked him, "Who are you and what are you doing here?" The rabbi thought for a moment and said to the soldier, "If you ask me that question every time I pass this way, I'll give you 50 kopecks." I think traditional policing needs to ask itself that same question. It needs to do a mental garage sale:

¶ What was policing created to do in the first place?

¶ What is it doing now?

¶ Should it be doing what it is doing now?

¶ If not, what should it be doing now?

¶ How should it do what it should be doing now?

The U.S. and Canada are common-law democracies whose policing is distinctly different from policing in the civil-code democracies of Western Europe. Common-law democratic policing originated with the passage of the London Metropolitan Police Act in Parliament in 1829. From that bill emerged the Policing Principles of the Metropolis, which contain this principle:

"The police are the public and the public are the police. The police are only members of the public who are paid (for the first time) to give full-time attention to duties that are incumbent on every citizen in the interests of community welfare and existence."

Peace in the 'hood. It was always intended that the community and its police be partners in the one habitat. It's time to reunite those habitats because they are mutually dependent upon each other.

A Personal Thought

I was a rugby player and a copper for much of my life. Both have their own mental and physical habitats. As a rugby player, when I stepped onto the field I needed a warlike mentality because the other guy was trying to take my head off (some say he half succeeded), and I his. We were enemies for as long as the game lasted, and then we drank together (We Irish are not interested in anything we can't drink or punch!) As a copper, when I stepped into the community I needed a peace-making mentality which included the physical side of the work. "Police others as you would have others police you" is a principle I've tried to live by for years. I couldn't live my own personal life to its fullest by having a single stiff mental habitat. I came to the same conclusion about my policing life.

As human beings, I'm all for what ever unites us and I'm all against whatever divides us, whether it be culture, creed or color. When we die, the maggots that eat us won't notice any differences between us. If we're cremated, the ashes will be the same color. I hope to see peace in Ireland. I hope to see peace in the 'hood. And I hope that we come to understand a little better the relationship between the hunt of law enforcement and the habitat of peace-making.

Sheriff curbs DARE in favor of school resource officers

Continued from Page 1

currently two school resource officer programs at work. In the northern end of the district, officers are assigned to a school and spend the whole day there mentoring and teaching. The other program works by teaming a Kent County sheriff's deputy with officers from one of the three local police departments within the district's boundaries and sending them around to the 38 schools in the district, said Deputy Jim Shimensky.

In his role as school resource officer in the Kent district, Shimensky supervises school security, hiring and training security officers, investigating campus crimes, mentoring students and conducting seminars and other programs.

Shimensky is a former DARE officer who taught the program for more than a year. DARE, he believes, starts too late in children's lives; the right age is the third grade. "My experience as an SRO is that the more time we can spend with the older kids, the more time we can mentor them and make them understand we're human as much as they are," he said.

One of the advantages of the SRO program is its applicability in the event of a crisis at the school. If need be, he said, resource officers can take the whole day to speak to parents, students and teachers, and explore resources.

"You can't do that with DARE," he said, "it's a classroom thing." Patrol officers, too, have limited options, Shimensky said. "They can take them in, cite the kid or call the parents, because they're so hogged down on patrol."

To illustrate the point, Shimensky recalled a recent incident in which a bomb was found on a high school student in the district. The resource officers, he said, spent more time talking to the girl and her mother, trying to find solutions, than they did on the investigation. "The investigation was easy," he said.

Sheriff Reichert believes the SRO program helps students develop trust with police officers at a crucial age — especially when they begin driving, or have friends that drive. For example, during a basketball game at a local youth center, a youngster approached Reichert and pointed out some teen-

agers who had been drinking.

"If you don't have that relationship built, that person is going to be less likely to inform on his friends," he said.

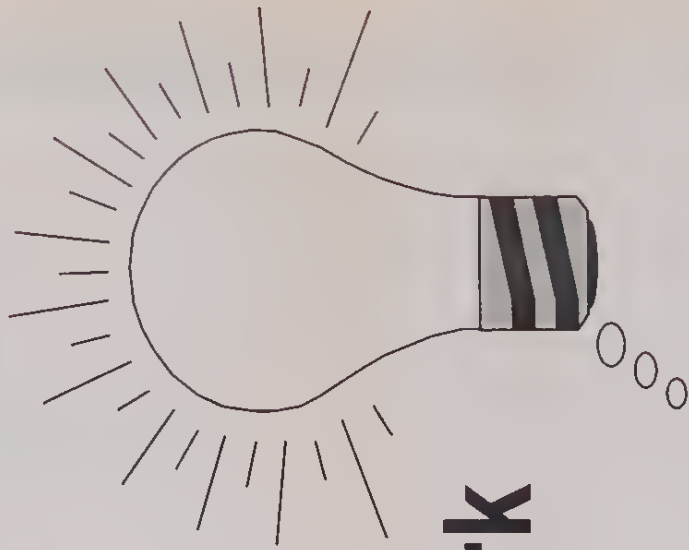
Not everyone is convinced that Reichert's move is the right one. Terry Cheshire, the principal of Kentridge High School, said that while he sees resource officers as a "real positive," he thinks discontinuing DARE at the upper grades is a mistake.

"By having a DARE officer come in an elementary school, they [children] get to see that police officers have feelings and really do strongly care about what happens to them," he said. "I would think it has to carry through to the upper grades."

Cheshire conceded that recent research shows DARE failing to have the desired effect on teen-age drug use, but suggested that researchers go back and look at the positive effects the program does have.

"Whether the DARE program has an impact on the drug use of adolescent youth, I can't get into that," he said. "I know what it does do is establish an extremely positive relationship between young kids and police officers."

You're working smarter. Why not work wiser, too?



Traditional policing knows the thrill of the hunt — locking up bad guys — but controlling the criminal habitat is the key to success. **Forum, Page 8.**

Getting it right:

Albuquerque moves toward an effective police oversight system, while the Philadelphia P.D. takes steps to ensure crime data are correct. **Stories, Page 1.**

It's to dye for:

Paintball guns are popular with the outdoor recreation set, but a bane for New Jersey police. Now officials want the Legislature to take action. **Page 9.**

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What They Are Saying:

"We have over 10,000 grantees, and to check them all would be very difficult."

— Kevin Aver, a Texas-based grant official with the Justice Department's Office of Community Oriented Policing Services, on the case of a former police chief who pleaded guilty to fraud for arranging kickbacks from the salary of a Federally-funded officer. (Story, Page 7.)